

RECEIVED
CENTRAL FAX CENTER

DEC 16 2005

Cardiac Rhythm Management Division
701 East Evelyn Avenue
Sunnyvale, California 94086

FACSIMILE COVER SHEET

Deliver to: Jessica Reidel; USPTO Art Group: 3762
Facsimile No.: 571-273-8300 Date: December 15, 2005
Application No.: 10/828,883 Filing Date: April 20, 2004
Our Docket No.: A04P3007-US1 No. of pgs including cover sheet: 12
From: Steven M. Mitchell, Reg. No.: 31,857

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: Response (<u>9</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal (In duplicate)
<input checked="" type="checkbox"/> Transmittal/Fee Transmittal (<u>2</u> pg)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Appeal Brief (in triplicate) (<u> </u> pgs)	<input type="checkbox"/> Petition for:
<input type="checkbox"/> Application: (<u> </u> pgs w/ cover & abstract	<input type="checkbox"/> Request for Continued Examination (RCE)
<input type="checkbox"/> Assignment & Recordation Cover Sheet (<u> </u> pgs)	<input type="checkbox"/> Reply Brief (<u> </u> pgs)
<input checked="" type="checkbox"/> Certificate of Facsimile	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request to Rescind Previous
<input type="checkbox"/> Declaration & POA (<u> </u> pgs)	<input type="checkbox"/> Nonpublication Request
<input type="checkbox"/> Drawings: <u> </u> sheets, <u> </u> figures	<input type="checkbox"/> Response to Written Opinion (<u> </u> pgs)
<input type="checkbox"/> Extension of Time:	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 (<u> </u> pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other:	<input type="checkbox"/> Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at fax no.: **571-273-8300**.


Esther Campbell

12/16/05
Date

Confidentiality Note: The documents accompanying this facsimile transmission contain information from St. Jude Medical CRMD which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty in receiving, please call:
(408) 522-6181 and ask for Esther Campbell.

RECEIVED
CENTRAL FAX CENTER

Docket No. A04P3007-US1

DEC 16 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael Paris

Serial No.: 10/828,883

Art Unit: 3762

Filing Date: April 20, 2004

Examiner: Reidel, Jessica L.

For: METHODS AND DEVICES FOR DETERMINING EXERCISE DIAGNOSTIC
PARAMETERS

Docket No.: A04P3007-US1

MailStop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Dear Sir:

Submitted herewith for filing are the following documents:

X 9 page(s) Amendment and Response to Office Action

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage, via Express mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Esther L. CampbellSignature *Esther Campbell*Date December 16, 2005

RECEIVED
CENTRAL FAX CENTER

Docket No. A04P3007-US1

DEC 16 2005

CALCULATION OF FEES						
ITEM		NO. OF CLAIMS FILED		NO. OF ADDITIONAL CLAIMS FILED	LG ENTITY FEE	\$ FEE
A	TOTAL CLAIMS FEE	11	- 20 =	0	X \$ 50	\$ 0
B	INDEPENDENT CLAIMS FEE**	7	- 4 =	3	X 200	0
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (LINES A + B)					\$ 600.00
D	MULTIPLE-DEPENDENT CLAIMS FEE, LARGE ENTITY FEE = \$360					
E	BASIC FILING FEE * LARGE ENTITY = \$300					
F	SEARCH FEE * LARGE ENTITY = \$500					
G	EXAMINATION FEE * LARGE ENTITY = \$200					
H	TOTAL FILING FEE** (ADD TOTALS FOR LINES C, D, E, F AND G)					\$ 600.00

☒ Charge Deposit Account No. **22-0265**
the amount of **\$600.00** A copy of this fee transmittal is enclosed.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 22-0265:

☒ Any additional filing fees required under 37 CFR 1.16.

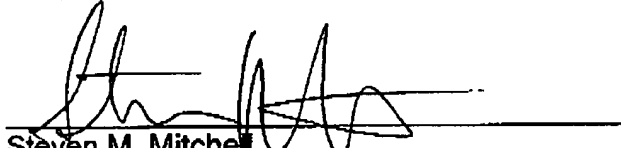
☒ Any patent application processing fees under 37 CFR 1.17.

☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 22-0265:

☒ Any patent application processing fees under 37 CFR 1.17.

☒ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

Date: Dec. 16, 2005
Steven M. Mitchell
Attorney for Applicant(s)
Reg. No. 31,857

CUSTOMER NUMBER: 24473

RECEIVED
CENTRAL FAX CENTER

Patent

DEC 16 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Michael Paris

Application No.: 10/828,883

Filed: April 20, 2004

For: METHODS AND DEVICES FOR
DETERMINING EXERCISE
DIAGNOSTIC PARAMETERS

Examiner: Reidel, Jessica L.

Art Unit: 3762

Confirmation No.: 5630

Docket No.: A04P3007-US1

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Dear Sir:

In response to the Office Action dated October 13, 2005, Applicant respectfully requests that the above-identified application be amended as follows and that the following remarks be considered:

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage, via Express mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type) Esther CampbellSignature Date December 16, 2005

12/19/2005 MBHRS 00000029 220265 10828883

01 FC:1201 600.00 DA

Serial No. 10/828,883

Page 1 of 9

Docket No. A04P3007-US1